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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/542,716	04/04/2000	Allan Havemose	AMI990003	5108

32718 7590 04/07/2004

GATEWAY, INC.  
ATTN: SCOTT CHARLES RICHARDSON  
610 GATEWAY DR., Y-04  
N. SIOUX CITY, SD 57049

EXAMINER

OPIE, GEORGE L

ART UNIT	PAPER NUMBER
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2126

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DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/542,716

Examiner

George L. Opie

Applicant(s)

Havemose

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**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-8 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) ☐ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ☐ is/are allowed.
- 6) ☒ Claim(s) 7-8 and 13-20 is/are rejected.
- 7) ☐ Claim(s) ☐ is/are objected to.
- 8) ☐ Claim(s) ☐ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ☐ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ☐ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) ☐.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- 14) ☐ Notice of References Cited (PTO-892)
- 15) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ☐.
- 17) ☐ Interview Summary (PTO-413) Paper No(s). ☐.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☒ Other: Text doc for USP5,727,145

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## DETAILED ACTION

1. The Request for Continued Examination, entered on 29 January 2004, has established the renewed consideration of the pending claims in this, the 09/542,716 Application.

2. This Office Action is responsive to Amendment B, filed 10 December 2003.

The Office acknowledges Applicant's inclusion of an electronic copy of the amendment on a 3½inch floppy disk, and the Office would like to thank Applicant for submitting the amendment in electronic form to expedite its processing.

**3. Descriptive Title Required**

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. MPEP606.01

4. The U.S. Patents used in the art rejections below have been provided as text documents which correspond to the U.S. Patents. The relevant portions of the text documents are cited according to page and line numbers in the art rejections below. For the convenience of Applicant, the cited sections are highlighted in the *text documents*. Consistent with Office procedure, the U.S. Patents corresponding to the *text documents* are also included with this action.

5. Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7-8 and 13-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dancs et al. (u.S. Patent 6,385,651) in view of Nessett et al. (u.S. Patent 5,727,145).

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As to claim 7, Dancs teaches a method for "providing managed access to network computer devices", p4 11-23 comprising

"network computer client device (NC) ... sends the relationship server a unique identifier ... the NC also transmits an enterprise identification number ... uniquely specifying the ISP to which the user wishes to connect", abstract

"relationship server 111 looks up the manufacturer identification number in the database 112 ", p5 39-57

"the relationship server determines whether the specified manufacturer has authorized connection to the specified ISP", p2 43 – p3 7 and

"NC client 101 ... authorized services.", p5 39-57

Dancs does not explicitly disclose the additional limitations detailed below.

Nessett teaches receiving, by an appliance service (location service, p9 45 – p10 2) an authentication interface dynamic base object (client 20 communicates directly with servant object through a dynamic invocation interface, p5 37-47) including an appliance service request having an appliance type and identifier (object reference ... includes ... identifier, p4 3-16).

It would have been obvious to combine Nessett's teachings with Dancs because the object authentication would provide Dancs with a central object-oriented security paradigm for effectively managing appliance interaction in the distributed computing environment.

As to claim 8, Dancs teaches information containing the services provided to the appliance, p5 39-57.

As to claim 13, Dancs teaches a method for "providing managed access to network computer devices", p4 11-23

"network computer client device ... transmits an enterprise identification number ... uniquely specifying the ISP to which the user wishes to connect", abstract, and

the client "connects to a central relationship server" that makes the authentication determination and, if the client is authorized "the relationship server transmits NC connection information for the ISP ... ", p2 34 – p3 7.

Dancs does not explicitly disclose the additional limitations detailed below.

Nessett teaches receiving, by an appliance service (location service, p9 45 – p10 2) an authentication interface dynamic base object (client 20 communicates directly with servant object through a dynamic invocation interface, p5 37-47) including an appliance service request having an appliance type and identifier (object reference ... includes ... identifier, p4 3-16).

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It would have been obvious to combine Nessett's teachings with Dancs because the object authentication would provide Dancs with a central object-oriented security paradigm for effectively managing appliance interaction in the distributed computing environment.

As to claims 14-17, Nessett (p9 45-57) provides the object-oriented paradigm that would support Dancs'es (pp8-15) billing mechanisms, thereby producing dynamic object interfaces for handling the requisite accounting transactions.

As to claim 18, Dancs (p5 39-57) teaches providing client transmits its device info including, inter alia, the manufacturer identification number, the model number and the device serial number, , sans the user's identity.

As to claim 19, Dancs (p14 46-55) teaches the ISP server handles account data including "credit card billing" systems.

As to claim 20, Nessett (p5 48 – p6 3) teaches object encryption for protecting the communications.

7. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure. Each reference disclosed below is relevant to one or more of the Applicant's claimed invention.

U.S. Patent No. 6,510,236 to Crane et al. which teaches the central authentication server;

U.S. Patent No. 6,385,729 to DiGiorgio et al. which teaches the object authorization for payment transactions;

U.S. Patent No. 6,219,790 to Lloyd et al. which teaches the centralized server for securing client authentication and accounting information.

## **8. Response to Applicant's Arguments:**

Applicant's arguments accompanying Amendment B, have been considered but are moot in view of the new grounds of rejection.

The Office acknowledges Applicant's inclusion of an electronic copy of the amendment on a 3½inch floppy disk, and the Office would like to thank Applicant for submitting the amendment in electronic form to expedite its processing.

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**9. Request for copy of Applicant's response on floppy disk:**

Please help expedite the prosecution of this application by including, along with your amendment response in paper form, an electronic file copy in WordPerfect, Microsoft Word, or in ASCII text format on a 3½ inch IBM format floppy disk.

Please include all pending claims along with your responsive remarks. Only the paper copy will be entered -- your floppy disk file will be considered a duplicate copy. Signatures are not required on the disk copy. The floppy disk copy is not mandatory; however, it will help expedite the processing of your application. Your cooperation is appreciated.

**10. Contact Information:**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see  
<http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

- ☐ All responses sent by U.S. Mail should be mailed to:

**Commissioner for Patents**  
**PO Box 1450**  
**Alexandria, VA 22313-1450**

- ☐ Hand-delivered responses should be brought to Crystal Park Two, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

- ☐ Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at **(703) 305-9600**.
- ☐ Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Opie at (703) 308-9120 or via e-mail at *George.Opie@uspto.gov*. Internet e-mail should not be used where sensitive data will be exchanged or where there exists a possibility that sensitive data could be identified unless there is an express waiver of the confidentiality requirements under 35 U.S.C. 122 by the Applicant. Sensitive data includes confidential information related to patent applications.



MENG-AL T. AN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100